

REMARKS

Claims 1-11 are pending in the application. Claims 1-6 and 8-10 are allowed. Claims 7 and 11 are rejected. Claims 7 and 11 have been canceled. The dependency of claims 3, 4, 5 and 10 have been amended. Accordingly, no new matter is introduced with these amendments.

Reply to the Rejection of Claim 7 and 11 under 35 U.S.C. § 112, 2nd Paragraph

The Examiner has rejected claims 7 and 11 as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Specifically, the Examiner states –

In claim 7, applicant recites a dry converted starch having a retained solubles content greater than that of the corresponding dry converted starch prepared via conventional aqueous acid conversion methods. Applicant has not claimed the converted starch properties, the essence of applicant's claim 7 is that the dry starch has a retained solubles greater than conventional aqueous acid conversion, this is a feature of the starch, there is nothing to distinguish the starch from starches made by any other method other than aqueous acid conversion. Applicant has only taught a feature or property of the starch. The claim is unduly broad, vague and indefinite.

Claims 7 and 11 have been canceled. Therefore, the rejection of claims 7 and 11 as being indefinite is now moot.

Reply to the Rejection of Claim 7 and 11 under 35 U.S.C. § 102(b)

The Examiner has rejected claims 7 and 11 as being anticipated by U.S. Patent No. 4,587,332 to Lane *et al.* ("Lane"). Specifically, the Examiner states –

Lane *et al.* teaches a process of making a dry converted starch is not prepared by aqueous acid treatment. The wet starch is mixed in the presence of a gaseous acid to acidify the starch to within a preferred pH range of 3.5 (*sic*, 2.5) to 3.5. The converted starch would inherently have a greater content of retained solids as claimed by applicant. Thus anticipating applicant's claims as drafted. [Note Column 13, lines 11]

Claims 7 and 11 have been canceled. Therefore, the rejection of claims 7 and 11 as being anticipated by Lane is now moot.

Reply to the Rejection of Claim 7 and 11 under 35 U.S.C. § 102(b)

The Examiner has rejected claims 7 and 11 as being anticipated by European Patent No. 0 953 379 to Kasica *et al.* ("Kasica"). Specifically, the Examiner states -

Kasica *et al.* teach providing stable poly dextrans by acidifying the starch and dextrinizing under substantially anhydrous conditions using a fluidized bed reactor. [Not the abstract, note page 4 *et seq.* claims 8-13] The dry converted starch would inherently possess the retained solubles content greater than that of the corresponding dry converted starch prepared via conventional aqueous acid conversion methods.

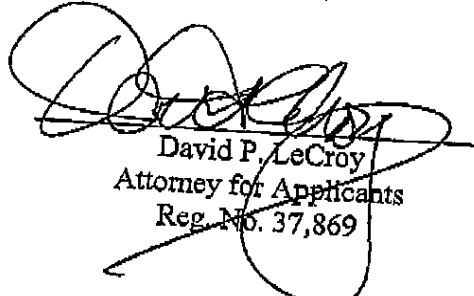
Claims 7 and 11 have been canceled. Therefore, the rejection of claims 7 and 11 as being anticipated by Kasica is now moot.

Applicants gratefully acknowledge the Examiner's allowance of claims 1-6 and 8-10. As claims 7 and 11 have been canceled, it is believed that the present application is now in form for allowance, and such allowance is respectfully requested.

Respectfully submitted,

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